

1974

RECREATIONAL LANDS BOND ACT

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RECREATIONAL LANDS BOND ACT

Ballot Title

FOR THE STATE BEACH, PARK, RECREATIONAL, AND HISTORICAL FACILITIES BOND ACT OF 1974.

This act provides for a bond issue of two hundred fifty million dollars (\$250,000,000) to be used to meet the recreational requirements of the people of the State of California by acquiring and developing lands for recreational purposes.

AGAINST THE STATE BEACH, PARK, RECREATIONAL, AND HISTORICAL FACILITIES BOND ACT OF 1974.

This act provides for a bond issue of two hundred fifty million dollars (\$250,000,000) to be used to meet the recreational requirements of the people of the State of California by acquiring and developing lands for recreational purposes.

Analysis by Legislative Counsel

Effect:

This measure, the State Beach, Park, Recreational, and Historical Facilities Bond Act of 1974, would authorize the issuance and sale of state bonds in an amount not to exceed \$250,000,000, under the State General Obligation Bond Law.

Bond proceeds would be appropriated in the annual budget bill for the acquisition and development of lands for parks, beaches, recreational areas, historical purposes, and wildlife management, and to develop historical resources. The maximum sums that could be appropriated for each purpose, until 1981, are as follows:

- (a) Grants to counties, cities, or cities and counties for acquisition or development of real property for park, recreation area, beach, and historical purposes, including state administrative costs..... \$90,000,000
- (b) Development of real property for the state park system, including costs for planning and interpretation \$45,000,000
- (c) Development of historical resources for the state park system, including costs for planning and interpretation \$15,000,000
- (d) Acquisition or development of real property for wildlife management in accordance with the Wildlife Conservation Law of 1947 and a master plan drafted as an element of the State Environmental Goals and Policy Report, including costs for planning and interpretation..... \$10,000,000
- (e) Acquisition of real property for the state park system, and costs of planning and interpretation, of which not less than \$15,000,000 would be expended for the acquisition of privately owned lands inside the boundaries of existing state park system units and for additions to existing units \$90,000,000

Provision is made for the proportionate allocation of funds for grants to the several counties, for the administration of the bond act program, and for the allocation of bond funds not obligated for expenditure as of July 1, 1980.

Fiscal Impact:

The Legislative Analyst and the Department of Finance advise that the measure would have a fiscal impact on both state and local government.

The principal and interest on the state bonds authorized by the measure would be payable from the General Fund, and thus would be repaid principally from the tax revenues of the state. The issuance and sale of the bonds authorized by the measure could result in the assumption by the state of an obligation of \$250,000,000. In addition, the debt service (interest) charges would be a state responsibility. The magnitude of this commitment would be established by the effective interest rate at the time the obligations are marketed. However, the Legislative Analyst advises that state bonds of this type have been marketed recently with repayment scheduled over 20 years at an interest rate approximating 5 percent, and, assuming such interest rate and repayment schedule, the interest cost of these bonds would be approximately \$131 million.

The state would also incur additional operational costs as new park and recreational areas and expanded developments are made available for public use. In some instances, such new areas and expanded developments could be subject to use charges or admission fees. This revenue potential is largely unknown in view of the present general governmental policy to make such state areas partially self-sufficient.

Since \$90,000,000 of the bond proceeds would be appropriated for grants to counties, cities, or cities and counties for acquisition or development of real property for park, recreation area, beach, and historical purposes, the measure would also have a net fiscal impact upon local government for administrative, operating, or maintenance costs. This impact would be determined by such administrative problems at the local level as might arise in execution of the program and in the subsequent operational costs of the new development. The Legislative Analyst and Department of Finance advise that there is no satisfactory method of estimating this cost as the potential programs are not known at this time.

You should vote FOR the State Beach, Park, Recreational, and Historical Facilities Bond Act of 1974 if you want to authorize the issuance and sale of state bonds up to \$250,000,000 to provide funds to acquire and develop lands for state and local parks, beaches, recreation areas, historical purposes, for wildlife management, and to develop state historical resources.

You should vote AGAINST the State Beach, Park, Recreational, and Historical Facilities Bond Act of 1974 if you do not want to authorize the issuance and sale of state bonds for these purposes.

Statutes Contingent Upon Adoption of Above Measure

Section 2.8 of the Budget Act of 1973 (Chapter 129, Statutes of 1973) appropriates a total of \$26,591,000 from the State Beach, Park, Recreational, and Historical Facilities Fund of 1974 (which would be created by the above measure) to the Department of Parks and Recreation for certain state park system acquisition projects.

Section 9.3 of Chapter 1064, Statutes of 1973, appropriates \$10,000,000 from the State Beach, Park, Recreational, and Historical Facilities Fund of 1974 to the Department of Parks and Recreation for certain state park system acquisition projects.

Section 1 of Chapter 1121, Statutes of 1973, appropriates \$7,600,000 from the General Fund for the acquisition of lands located between Newport Beach and Laguna Beach, for the state park system. Section 2 of the act amends the bond act to require that moneys deposited in the State Beach, Park, Recreational, and Historical Facilities Fund of 1974 be used to reimburse the General Fund for any expenditure from such appropriation.

The text of Chapters 129, 1064, and 1121 of the Statutes of 1973 is on record in the office of the Secretary of State in Sacramento and will be contained in the 1973 published statutes.

Text of Proposed Law

This law proposed by Assembly Bill 392 (Statutes of 1972, Chapter 912), as amended by Statutes of 1973, Chapter 550; Statutes of 1973, Chapter 1064; Statutes of 1973, Chapter 1121; and Statutes of 1973, Chapter 1174, is submitted to the people in accordance with the provisions of Article XVI of the Constitution.

(This proposed law does not expressly amend any existing law; therefore, the provisions thereof are printed in BOLDFACE TYPE to indicate that they are NEW.)

PROPOSED LAW

SECTION 1. Chapter 1.67 (commencing with Section 5096.71) is added to Division 5 of the Public Resources Code, to read:

CHAPTER 1.67. STATE BEACH, PARK, RECREATIONAL, AND HISTORICAL FACILITIES BOND ACT OF 1974

5096.71. This chapter may be cited as the State Beach, Park, Recreational, and Historical Facilities Bond Act of 1974 or as the Zberg-Collier Park Bond Act.

5096.72. The Legislature of the State of California hereby finds and declares that:

(a) It is the responsibility of this state to provide and to encourage the provision of outdoor recreation opportunities for the citizens of California;

(b) When there is proper planning and development, open-space lands contribute not only to a healthy physical and moral environment, but also contribute to the economic betterment of the state, and, therefore, it is in the public interest for the state to acquire areas for recreation, conservation, and preservation and to aid local governments of the state in acquiring and developing such areas as will contribute to the realization of the policy declared in this chapter.

5096.73. The Legislature further finds and declares that:

(a) The present public outdoor recreation areas and facilities in the state are inadequate to accommodate the demands made on them at the present time and will become critically inadequate as time progresses.

(b) Land values are increasing at a steady rate and any delay by the state in securing additional lands for park and recreation purposes will result not only in the loss of suitable lands for recreation purposes, but also will reduce the economic ability of the state to acquire such lands.

(c) At a special election consolidated with the 1974 direct primary election, the people of the State of California will vote upon a proposition authorizing a state bond issue in the amount of two hundred fifty million dollars (\$250,000,000) to provide the moneys for the acquisition and development of lands needed for recreation purposes.

(d) It is desirable for the people of this state to have prior notice of the proposed disposition and allocation of the proceeds of this bond issue.

5096.74. Bonds in the total amount of two hundred fifty million dollars (\$250,000,000), or so much thereof as is necessary, may be issued and sold to provide a fund to be used for carrying out the purposes expressed hereinafter, and to be used to reimburse the General Obligation Bond Expense Revolving

Fund pursuant to Section 16724.5 of the Government Code. Said bonds shall, when sold, be and constitute a valid and binding obligation of the State of California, and the full faith and credit of the State of California are hereby pledged for the punctual payment of both principal and interest on said bonds as said principal and interest become due and payable.

5096.75. There shall be collected each year and in the same manner and at the same time as other state revenue is collected such sum in addition to the ordinary revenues of the state as shall be required to pay the principal and interest on said bonds maturing in said year, and it is hereby made the duty of all officers charged by law with any duty in regard to the collection of said revenue to do and perform each and every act which shall be necessary to collect such additional sum.

5096.76. There is hereby appropriated from the General Fund in the State Treasury for the purpose of this act, such an amount as will equal the following:

(a) Such sum annually as will be necessary to pay the principal and interest on bonds issued and sold pursuant to the provisions of this chapter, as said principal and interest become due and payable.

(b) Such sum as is necessary to carry out the provisions of Section 5096.77, which sum is appropriated without regard to fiscal years.

5096.77. For the purposes of carrying out the provisions of this chapter the Director of Finance may by executive order authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of the unsold bonds which have been authorized to be sold for the purpose of carrying out this chapter. Any amounts withdrawn shall be deposited in the State Beach, Park, Recreational, and Historical Facilities Fund of 1974 which fund is hereby created. Any moneys made available under this section shall be returned to the General Fund from moneys received from the sale of bonds sold for the purpose of carrying out the provisions of this chapter.

5096.78. The proceeds of bonds issued and sold pursuant to this chapter shall be deposited in the State Beach, Park, Recreational, and Historical Facilities Fund of 1974. The money in the fund may be expended only for the purposes specified in this chapter and only pursuant to appropriation by the Legislature in the manner hereinafter prescribed.

5096.79. All proposed appropriations for the program contemplated by this chapter shall be included in a section in the Budget Bill for each fiscal year for consideration by the Legislature, and shall bear the caption "State Beach, Park, Recreational, and Historical Facilities Bond Act of 1974 Program." The section shall contain separate items for each project for which an appropriation is made.

Such appropriations shall be subject to all limitations contained in the Budget Bill and to all fiscal procedures prescribed by law with respect to the expenditure of state funds. The section shall contain proposed appropriations only for the program contemplated by this chapter, and no funds derived from the bonds authorized by this chapter may be expended pursuant to an appropriation not contained in that section of the Budget Act.

5096.80. The bonds authorized by this chapter shall be prepared, executed, issued, sold, paid and redeemed as provided in the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3, Division 4, Title 2 of the Government Code) and all of the provisions of that law are applicable to the bonds and to this chapter, and are hereby incorporated in this chapter as though set forth in full herein.

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Argument in Favor of Proposition 1

In the last twenty years California's population has doubled. But the use of parks, beaches, and other recreation facilities has multiplied ten times. At peak periods beaches and other heavily used recreation spots turn away one car full of disappointed people for every two they can take care of. Last year that was nearly one million people.

Proposition 1 makes it possible for the State and your local community to acquire lands for new park and recreation areas, to preserve land along the coast and in the Tahoe Basin, and to develop new and better recreational facilities.

Proposition 1 means parks and beaches closer to home

Of special importance in this time of energy crises Proposition 1 assures you that more parks, beaches and other recreation areas will be close to your own doorstep. You and your family will travel only a short distance to enjoy inexpensive, healthful and relaxing outdoor recreation. And note this: Proposition 1 provides recreation money to be spent at the local level without adding a single penny to your property tax burden.

What else does Proposition 1 do? It will help preserve elements of California's history. It will preserve California's wildlife and fish resources. It will give you additional access to wildlands, and to the State's splendid water resources.

Vote yes on Proposition 1 because costs are orbiting! Desirable park lands are expensive today, but they may be impossible to afford if we wait.

Delay could even mean that some lands will be lost to the public forever. For example, of thirty-eight areas selected for their outstanding environment in the State's recent Coastline Preservation Study, thirty are now endangered by development.

Your yes vote on Proposition 1 makes all this possible:
\$90 million for local governments to acquire and develop local parks, recreation areas, beaches, or historic units. The money will be allocated by population, but no county will get less than \$200,000.

\$90 million for the State Park System to acquire new parks, beaches, recreation areas and historic places, including \$15 million to fill out existing units.

\$60 million for development of public facilities within the State Park System, including \$15 million for development and interpretation of its historic resources.

\$10 million for fish and wildlife projects of the State Wildlife Conservation Board.

Proposition 1 is non-partisan; it is solidly supported by citizens of all parties. And with good reason. Proposition 1 helps preserve the quality of our environment. It helps insure that our own generation and those to come will enjoy enough public parks, beaches, and recreation areas. It preserves lands that have figured strongly in California's history, for the enjoyment and education of our children's children.

There are many statewide organizations and groups supporting this measure representing conservation, education, business, labor, park planning and administration, local government, and historical groups.

Vote YES on Proposition 1. Tomorrow will be more expensive—and may be too late.

Assemblyman EDWIN L. Z'BERG
Chairman, Assembly Natural Resources and Conservation Committee

L. W. LANE, JR., Californians for Parks, Beaches & Wildlife and Publishing Executive

State Senator RANDOLPH COLLIER
Chairman, Senate Finance Committee

No rebuttal to the argument in favor of Proposition 1 was submitted

Study the Issues and Candidates Carefully

Argument Against Proposition 1

Vote **NO** on Proposition 1, the Bond that will be a direct Lien on the place YOU RENT or OWN. (TAX INCREASE)

Few are against parks or recreation but the HOME IS THE BASIC ENVIRONMENT for livelihood and cannot be mortgaged with TAXES any more! Foreclosures are at an all-time high because of taxes.

FACTS: (Committees and appointees may likely take much of this Bond)

1. Many parks are **not** being used to capacity now.
2. **Much** land in many counties is owned but not used for parks now.
3. Many older people are afraid to visit parks because of muggings, etc.

4. Only about 30% of the land of California is owned by private sources making taxes on property too high.

5. YOUNG people will pay for TAXES in Rent or future property taxes.

There is certainly a shortage of FOOD, GAS, etc., but no shortages of TAXES and INFLATION. This should tell you in a STRONG VOICE TO VOTE **NO** on Proposition 1.

BARBARA P. HUTCHINSON, *Association of Concerned Taxpayers, Inc., San Diego*

JUANITA COLE, *Association of Concerned Taxpayers, Inc., San Diego*

HENRY CANCINO, *Association of Concerned Taxpayers, Inc., San Diego*

Rebuttal to Argument Against Proposition 1

The argument against Proposition 1 was prepared on the basis of mistaken notions. This park bond proposition has nothing at all to do with taxes or rents on homes or apartments.

The language of this very necessary park bond law was worked out carefully between Governor Reagan's administration and leading Legislators of both parties with the help of such groups as the Sierra Club, the State Chamber of Commerce, the State PTA, the League of Women Voters, organized labor, the League of Cities, minority groups and many more.

All of these people and organizations agree that we just

can't go on turning folks away from our overcrowded parks (we turned over 1,000,000 away last year).

We need this bond issue to provide Californians, young and old, more room to stretch their legs and breathe good air—in new city and county parks, as well as State parks.

Let's not be misled by people who have mistaken notions. Vote YES on Proposition 1.

Assemblyman EDWIN L. Z'BERG
Chairman, Assembly Natural Resources and Conservation Committee

State Senator RANDOLPH COLLIER
Chairman, Senate Finance Committee

Apply for Your Absentee Ballot Early

5096.81. The State Park and Recreation Finance Committee is hereby created. The committee consists of the Governor, the State Controller, the Director of Finance, the State Treasurer, and the Secretary of the Resources Agency. For the purposes of this chapter the State Park and Recreation Finance Committee shall be "the committee" as that term is used in the State General Obligation Bond Law. The Secretary of the Resources Agency is hereby designated as the board for the purposes of this chapter and for the purposes of the State General Obligation Bond Law.

5096.83. All money deposited in the State Beach, Park, Recreational, and Historical Facilities Fund of 1974 which is derived from premium and accrued interest on bonds sold shall be reserved in the fund and shall be available for transfer to the General Fund as a credit to expenditures for bond interest.

5096.84. As used in this chapter and for the purposes of this chapter as used in the State General Obligation Bond Law, the following words shall have the following meanings:

(a) "state grant" or "state grant moneys" means moneys received by the state from the sale of bonds authorized by this chapter which are available for grants to counties for acquisition and development of real property for park and recreation purposes.

5096.85. Except as otherwise provided herein, all money deposited in the State Beach, Park, Recreational, and Historical Facilities Fund of 1974 shall be available for appropriation as set forth in Section 5096.79 for the purposes set forth below in amounts not to exceed the following except as may be provided hereafter:

- (a) For grants to counties, cities, or cities and counties for the acquisition, development, or acquisition and development, of real property for park, recreation area, beach, and historical purposes including state administrative costs \$90,000,000
- (b) For development of real property for the state park system, including costs for planning and interpretation \$15,000,000
- (c) For development of historical resources for the state park system, including costs for planning and interpretation \$15,000,000
- (d) For the acquisition, development, or acquisition and development, of real property for wildlife management in accordance with the provisions of the Wildlife Conservation Law of 1947 (Chapter 4 (commencing with Section 1300), Division 2, Fish and Game Code) and in accordance with a master plan drafted as an element of the State Environmental Goals and Policy Report, including costs for planning and interpretation \$10,000,000
- (e) For the acquisition of real property for the state park system, and the costs of planning and interpretation, of which not less than fifteen million dollars (\$15,000,000) shall be expended for acquisition of privately owned lands inside the boundaries of existing units and for additions to existing units..... \$90,000,000

It is the intent of the Legislature that funds expended pursuant to subdivisions (a) and (e) of this section may be used for the acquisition of open-space lands, development rights, and scenic easements in connection with the state park system or, in the case of counties, cities, or cities and counties, in connection with park and beach purposes. For the purpose of acquiring such open-space lands or scenic easements the state and counties, cities, or cities and counties may exercise the power of eminent domain.

5096.86. The ninety million dollars (\$90,000,000) authorized by Section 5096.85 for grants shall be allocated to the counties, such allocation to be based upon the estimated population of the counties on July 1, 1980, as projected by the Department of Finance.

Each county's apportionment will be in the same ratio as the county's population is to the state's total population; provided, however, that each county shall be entitled to receive an allocation of not less than two hundred thousand dollars (\$200,000); and provided, further, that any grant made to a city, district, or regional public agency shall be subtracted from the total otherwise allocable under the provisions of this chapter to the county or counties in which the city, district, or regional public agency is located. Advance grants may be made for development projects. However, 10 percent of the grant funds shall be withheld until the project is audited by the state.

Each county shall consult with all cities and districts within the county which are authorized to provide park and recreation services and shall develop and submit to the state a priority plan for expenditure of the county's allocation, including expenditures for city and district projects, by June 30, 1975. The priority plan for expenditure of the total county allocation shall be approved by at least 50 percent of the cities and districts representing 50 percent of the population of the cities and districts within the county, and by the county board of supervisors. Failure to submit an approved priority plan by June 30, 1975, shall result in a 10-percent annual reduction in the total county allocation until the priority plan is submitted. Any funds not allocated to a county shall remain in the bond fund and shall be expended under the same conditions as set forth in Section 5096.87 in 1980. By June 30, 1977, if agreement on the priority plan for expenditure has not been submitted to the state, the board of supervisors shall petition the Secretary of the Resources Agency to distribute to high-priority projects the remaining 80 percent of the county's total allocation.

Applications for individual projects appearing on the priority plan for expenditure may be submitted directly to the state by the individual jurisdictions. In the event that any particular jurisdiction's project is withdrawn from funding because of circumstances beyond its control, the application for any substitute project by such jurisdiction not originally appearing on the approved priority plan for expenditure shall be approved by the county board of supervisors.

5096.87. On July 1, 1980, the Secretary of the Resources Agency shall cause to be totaled the unencumbered balances remaining in the State Beach, Park, Recreational, and Historical Facilities Fund of 1974. A program shall be submitted in the budget for the 1981-1982 fiscal year to appropriate this balance. Unencumbered funds under subdivision (a) of Section 5096.85 shall be reappropriated for grants to local jurisdictions only. The remainder of the program shall consist of projects deemed to be of highest priority from among the purposes expressed in subdivisions (b) to (e), inclusive, of Section 5096.85 and shall not be subject to the maximum amounts allocated to those purposes in Section 5096.85.

5096.88. Projects involving state funds only, pursuant to subdivisions (b), (c), and (e) of Section 5096.85, shall originate by legislative resolution, resolutions, or resolutions of the State Park and Recreation Commission directing studies of the projects included therein or upon initiative of the Secretary of the Resources Agency directing a study of the projects included therein.

The costs of these project studies shall be borne by the State Beach, Park, Recreational, and Historical Facilities Fund of 1974.

Allocations for the purposes of subdivision (d) of Section 5096.85 that are authorized by the Legislature and approved by the Governor shall be made from the State Beach, Park, Recreational, and Historical Facilities Fund of 1974 and shall be expended in accordance with the provisions of the Wildlife Conservation Law of 1947 (Chapter 4 (commencing with Section 1300), Division 2, Fish and Game Code) and in accordance with a master plan drafted as an element of the State Environmental Goals and Policy Report prepared pursuant to Section 65041 of the Government Code. Local and state projects pursuant to subdivisions (a), (b), (c), and (e) of Section 5096.85 shall be in accord with the California Outdoor Recreation Resources Plan.

5096.89. An application for a state grant pursuant to subdivision (a) of Section 5096.85 shall be submitted to the Secretary of the Resources Agency. The application for the state grant shall be accompanied by an adopted plan showing park and recreation lands and facilities, existing and proposed, sufficient to enable the state to determine the needs of the general public for recreation lands and facilities in the applicant's jurisdiction and the quality and quantity thereof. The project for which funds are being requested shall appear on the applicant's plan. The applicant shall state that the project is compatible with the land use plans of those jurisdictions immediately surrounding the project. Where the project land or facilities are located outside the political boundaries of the applicant, such project lands or facilities shall appear on the adopted plan of the jurisdiction in which the project is located. Prior to the approval of any project, the applying jurisdiction's park stewardship history will be reviewed for protecting existing park and recreation and open-space resources and operating and maintaining areas to acceptable standards. The Secretary of the Resources Agency, in cooperation with the Office of Planning and Research, shall review the material submitted by the county or counties for completeness and conformity with the State Environmental Goals and Policy Report. All applications shall contain an environmental impact statement in compliance with the Environmental Quality Act of 1970 (commencing with Section 21000 of the Public Resources Code).

Upon completion of the review by the Secretary of the Resources Agency, approved projects shall be forwarded to the Governor for inclusion in the Budget Bill.

5096.90. Projects proposed pursuant to subdivisions (b), (c), (d), and (e) of Section 5096.85 shall be submitted to the office of the Secretary of the Resources Agency for review. The Director of Parks and Recreation shall provide the Secretary of the Resources Agency with a statement concerning each project originated pursuant to subdivisions (b), (c), and (e) of Section 5096.85, which statement shall include the priority of the project in regard to the following needs:

- (a) Deficiencies in preserving history.
- (b) Deficiencies in preserving scenery and landscapes.
- (c) Deficiencies in providing recreation.

5096.91. The Secretary of the Resources Agency, after completing his review, shall forward those projects recommended by the appropriate board or commission together with his comments thereon to the Governor for inclusion in the Budget Bill.

In submitting the list of projects recommended for inclusion in the annual budget, the secretary shall organize the projects on a priority basis within each of the purposes as set forth in subdivisions (b), (c), (d), and (e) of Section 5096.85. This priority ranking shall take into account and be based upon the needs specified in Section 5096.90.

In addition, the statement setting forth the priorities shall include the relationship of each separate project on the priority list to a proposed time schedule for the acquisition and development expenditures associated with the accomplishment of the projects contained in such list. All projects proposed in the Governor's Budget of each fiscal year shall be contained in the Budget Bill as provided in Section 5096.79.

5096.92. Projects authorized for the purposes set forth in subdivisions (b), (c), and (e) of Section 5096.85 shall be subject to augmentation as provided in Section 16352 of the Government Code. The unexpended balance in any appropriation heretofore or hereafter made payable from the State Beach, Park, Recreational, and Historical Facilities Fund of 1974 which the Director of Finance, with the approval of the State Public Works Board, determines not to be required for expenditure pursuant to the appropriation may be transferred on order of the Director of Finance to and in augmentation of the appropriation made in Section 16352 of the Government Code.

5096.93. The Director of Parks and Recreation may make agreements with respect to any land acquired pursuant to subdivision (e) of Section 5096.85 of this chapter for continued tenancy of the seller of the property for a period of time and under such conditions as mutually agreed upon by the state and the seller so long as the seller promises to pay such taxes on his interest in property as shall become due, owing or unpaid on the interest created by such agreement and so long as the seller conducts his operations on the land according to specifications issued by the Director of Parks and Recreation to protect the property for the public use for which it was acquired. A copy of such agreement shall be filed with the county clerk in the county in which the property lies. Such arrangement shall be compatible with the operation of the area by the state, as determined by the Director of Parks and Recreation.

5096.94. Notwithstanding any other provisions of law, for the purposes of this chapter acquisition may include gifts, purchases, leases, easements, eminent domain, the transfer of property for other property of like value, purchases of development rights, and other interests unless the Legislature shall hereafter otherwise provide. Acquisition for the state park system by purchase or by eminent domain shall be under the Property Acquisition Law (commencing with Section 15850 of the Government Code), notwithstanding any other provisions of law.

5096.95. All grants, gifts, devises or bequests to the state, conditional or unconditional, for park, conservation, recreation or other purposes for which land may be acquired and developed pursuant to this chapter, may be accepted and received on behalf of the state by the appropriate department head with the approval of the Director of Finance. Such grants shall be available, when appropriated by the Legislature, for expenditure for the purposes provided for in Section 5096.85 of this chapter.

5096.96. There shall be an agreement or contract between the Department of Parks and Recreation and the applicant in the case of a state grant project which shall contain therein the provisions that the property so acquired shall

be used by the grantee only for the purpose for which the state grant funds were requested and that no other use of the area shall be permitted except by specific act of the Legislature.

5096.97. Lands acquired by the state shall consist predominantly of open or natural lands, including lands under water capable of being utilized for multiple recreation purposes, and lands necessary for historic preservation. No funds derived from the bonds authorized by this section shall be expended for the construction of any reservoir designated as a part of the "State Water Facilities," as defined in subdivision (d) of Section 12934 of the Water Code, but such funds may be expended for the acquisition and development of beaches, parks, recreational facilities and historical monuments at or in the vicinity of any such reservoir.

5096.98. (a) The appropriation made by Item 379(c) of the Budget Act of 1973 for the acquisition of Century Ranch for the state park system is hereby validated and confirmed; provided, that before any funds are expended for such acquisition, the Century Ranch project shall be recommended by the State Park and Recreation Commission and reviewed by the Secretary of the Resources Agency.

(b) Moneys deposited in the State Beach, Park, Recreational, and Historical Facilities Fund of 1974 shall be used to reimburse the General Fund for any expenditure of moneys for the acquisition of Century Ranch for the state park system made pursuant to the enactment of Senate Bill No. 1194 of the 1973-74 Regular Session of the Legislature; provided, that the Century Ranch project shall have been recommended by the State Park and Recreation Commission and reviewed by the Secretary of the Resources Agency prior to such General Fund expenditure.

5096.99. Moneys deposited in the State Beach, Park, Recreational, and Historical Facilities Fund of 1974 shall be used to reimburse the General Fund for any expenditure of moneys for the acquisition of lands located between Newport Beach and Laguna Beach for the state park system made pursuant to the enactment of Senate Bill No. 1089 of the 1973-74 Regular Session of the Legislature; provided, that such project shall have been recommended by the State Park and Recreation Commission and reviewed by the Secretary of the Resources Agency prior to such General Fund expenditure.

5096.100. The appropriation from the State Beach, Park, Recreational, and Historical Facilities Fund of 1974 made by Section 9.3 of Assembly Bill No. 1944 of the 1973-74 Regular Session shall not be subject to the provisions of Section 5096.79 relating to inclusion of proposed appropriations in a section in the Budget Bill and Budget Act.

TEXT OF PROPOSITION 2— continued from page 9

a reimbursement to the General Fund on account of principal and interest on the bonds which has been paid from the General Fund.

13994. There is hereby appropriated from the General Fund in the State Treasury for the purpose of this chapter such an amount as will equal the following:

(a) Such sum annually as will be necessary to pay the principal of and the interest on the bonds issued and sold pursuant to the provisions of this chapter, as said principal and interest become due and payable.

(b) Such sum as is necessary to carry out the provisions of Section 13995, which sum is appropriated without regard to fiscal years.

13995. For the purpose of carrying out the provisions of this chapter, the Director of Finance may by executive order authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of the unsold bonds which the committee has by resolution authorized to be sold for the purpose of carrying out this chapter. Any amounts withdrawn shall be deposited in the fund and shall be disbursed by the board in accordance with this chapter. Any moneys made available under this section to the board shall

be returned by the board to the General Fund from moneys received from the sale of bonds sold for the purpose of carrying out this chapter.

13996. Upon request of the board, supported by a statement of the proposed arrangements to be made pursuant to Section 13991 for the purposes therein stated, the committee shall determine whether or not it is necessary or desirable to issue any bonds authorized under this chapter in order to make such arrangements, and, if so, the amount of bonds then to be issued and sold. Successive issues of bonds may be authorized and sold to make such arrangements progressively, and it shall not be necessary that all of the bonds herein authorized to be issued shall be sold at any one time.

13997. The committee may authorize the State Treasurer to sell all or any part of the bonds herein authorized at such time or times as may be fixed by the State Treasurer.

13998. All proceeds from the sale of bonds, except those derived from premiums and accrued interest, shall be available for the purpose provided in Section 13991 but shall not be available for transfer to the General Fund to pay principal and interest on bonds. The money in the fund may be expended only as herein provided.

TEXT OF PROPOSITION 5— continued from page 21

pledged or used for the payment of principal and interest on voter-approved bonds issued for the purposes specified in subdivision (b) of Section 1.

SEC. 5. The Legislature may authorize up to 25 percent of the revenues available for expenditure by any city or county, or by the state, for the purposes specified in subdivision (a) of Section 1 of this article to be pledged or used for the payment of principal and interest on voter-approved bonds issued for such purposes.

SEC. 6. This article shall not prevent the designated tax revenues from being temporarily loaned to the State General Fund upon condition that amounts loaned be repaid to the funds from which they were borrowed.

SEC. 7. This article shall not affect or apply to fees or taxes imposed pursuant to the Sales and Use Tax Law or the Vehicle License Fee Law, and all amendments and additions now or hereafter made to such statutes.